

Application No.: 10/644,947
Amendment dated: February 7, 2006
Reply to Office Action dated: November 7, 2005

REMARKS/ARGUMENTS

Claims 23-32 are pending in the application.

The specification was objected to for informalities. Claims 27 and 32 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 23-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hollowell, U.S. Patent No. 6,071,056 (hereinafter "Hollowell"). Claim 32 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hollowell in view of Wanesky, U.S. Patent No. 3,263,841 (hereinafter "Wanesky")

Objections to the specification

The specification was objected to for informalities. The specification has been amended to correct those informalities.

Rejections under 35 U.S.C. § 112

Claims 27 and 32 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The reference "the exchange base" lacks antecedent basis. Those claims have been amended to correct the typo that lead to the lack of antecedent basis.

Rejections under 35 U.S.C. § 102

Claims 23-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hollowell. Hollowell discloses a tray used during the processing and handling of HGAs having a set of

Application No.: 10/644,947
Amendment dated: February 7, 2006
Reply to Office Action dated: November 7, 2005

locating and support features on both its top and bottom surfaces. (*See Abstract*).

The Applicants respectfully traverse these rejections, in part, because Hollowell does not teach or suggest inverting an exchange tray with an exchange containment unit matching the packing containment unit, as recited in claim 23. Hollowell states:

In operation, an HGA 13 is placed in a position on tray 11. The HGA may be placed on either top 15 or bottom 17, but only one side can be populated at any time. During use, either top 15 or bottom 17 can hold up to thirty HGAs 13. When another tray 11 is nested on top of the populated tray 11, the trays can be flipped over or inverted 180 degrees to reorient the HGAs 13 without having to manipulate them.

(Hollowell, Col. 2, Lines 61-67).

In Hollowell, the exchange apparatus is on the bottom of the tray used for packing, rather than as a separate tray. Thus the tray does not need to be inverted prior to being placed on the tray used for packing. Therefore, Hollowell does not disclose all the elements of the claims, as set forth in claim 23. Since at least this feature of claim 23 are missing from Hollowell, claim 23 is not anticipated under 35 U.S.C. §102(b). Applicant further respectfully submits that claims 24-31 are allowable as depending from the allowable base claim 23.

Based on the arguments above, reconsideration and withdrawal of this rejection of claims 23-31 under 35 U.S.C. §102(b) are respectfully requested.

Rejections under 35 U.S.C. §103

Claim 32 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hollowell in view of Wanesky. Wanesky discloses an apparatus for removing articles from nests in a work holder. (*See Wanesky*, Col. 1, Lines 10-17).

Application No.: 10/644,947
Amendment dated: February 7, 2006
Reply to Office Action dated: November 7, 2005

The Applicants respectfully traverse these rejections, in part, because neither Hollowell nor Wanesky teaches or suggests inverting an exchange tray with an exchange containment unit matching the packing containment unit, as recited in claim 23. As stated above, Hollowell does not teach this feature. Wanesky does not cure this deficiency. Applicant further respectfully submits that claim 32 is allowable as depending from the allowable base claim 23.

Based on the arguments above, reconsideration and withdrawal of this rejection of claim 32 under 35 U.S.C. §103(a) is respectfully requested.

It is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

The Office is hereby authorized to charge any fees, or credit any overpayments, to Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON LLP

Dated: February 7, 2006

By: Stephen T. Neal
Stephen T. Neal
(Reg. No. 47,815)

KENYON & KENYON LLP
333 West San Carlos St., Suite 600
San Jose, CA 95110

Telephone: (408) 975-7500
Facsimile: (408) 975-7501

81988_1.DOC

- 8 -